# EXHIBIT 29

# Case 3:20-cv-00252-KC Document 1-30 Filed 10/01/20 Page 2 of 9

# **Chris Hicks**

From: Deena Hardin

Sent: Monday, April 6, 2020 7:23 PM

To: Chris Hicks

**Subject:** FYI- PIP and Job Description

Attachments: Performance Improvement Plan Chris Hicks Final.docx; KC - Sr Project Manager Job

Description.docx

Chris,

So sorry this is late. A Bit of a crazy day.

Please add your comments, sign and return.

Please discuss any questions with Tom.

Thank you,

Deena Hardin Human Resources



Headquarters KOMAN Construction, LLC. 1490 S Price Rd Ste 211 Chandler AZ 85286 C: 602-799-9919 www.komankc.com

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# Case 3:20-cv-00252-KC Decempent 1-30 Filed 10/01/20 Page 3 of 9 Performance Improvement Plan

				The state of the s				
Employee I	Name:	Chris Hicks						
Job Title:		Senior Project Manager						
Manager N	Manager Name: Thomas Berrett							
Location:		Tynda	II AFB		Date Prepared	:	2 APR 20	
				-				
	ce Deficien		Attendance X		Other			
Provide a detai other informati	led description of the sould s	of the in support t	cident(s) or performar the alleged deficiency.	nce that is deemed to be Attach to this docume	e deficient. Include date nt any material that is re	s, times, elevant t	to this plan.	any 
manageme manager w were told r multiple or Key submit not. The fie executive r not billed cat the end soon that i	ent staff not vas not give multiple tim ccasions wa ttals were la eld staff lac management due to the f of February t would be	t being in accenes that is told ate, ar ked clant was failures y and vibilled	g instructed or tages to RMS untiled this project wat to get his persound dates were mear direction on told they have sof managing the	asked properly to almost two montould be started la nnel onsite and g issed or were rep what they were no idea what the ne scheduler and soon as the sche	approved schedu carry out their de chs after his emple te January and the the job going vorted completed to accomplish, an field staff were d KOMAN field staff dule is approved as of	uties. oymer nen lat which when d on s oing. f. This	The project nt date. Super te February an did not happe n in fact they we several occasic This project h s was brought would have b	d on n. /ere ons, as up
Action Rec			r is 100% respon		project on track			with
	quired to Co	cur.	r is 100% respon	sible keeping the			ommunication	
Action	quired to Co	cur.	the Deficiency:	sible keeping the	project on track			orrect
Action 1.		orrect	the Deficiency:	sible keeping the	project on track		ommunication	orrect
	Removal f	orrect	the Deficiency:  Action Required  yndall AFB proje	sible keeping the	project on track	and co	ommunication  Timeframe to C  the Deficier	orrect

At any time if you are not following policy guidelines for your position and the requirements of the assigned projects you will receive your

# Case 3:20-cv-00252-KC Document 1-30 Filed 10/01/20 Page 4 of 9

	last and final warning. Continued substandard job performance will result in termination.	
3.		☐ Immediately ☐ Within days
4.		☐ Immediately
5.		☐ Immediately ☐ Within days

# Case 3:20-cv-00252-KC Document 1-30 Filed 10/01/20 Page 5 of 9

Consequence	s if Deficiency is not Corrected:						
x F	Further disciplinary action, up to and including termination of employment						
	Immediate termination of employment						
	Other:						
Follow Up:	None Required X Weekly Monthly Other:						
Date	Follow Up / Further Action to be Taken	Deficiency Resolved?					
		☐ Yes ☐ No					
		☐ Yes ☐ No					
		☐ Yes ☐ No					
		☐ Yes ☐ No					
<b>Employee Co</b>	mments:						
Provide any comm feel is relevant to t	nents you wish to make in response to this Performance Improvement Plan below. You may at this matter.	tach any documentation you					
P.I.P. Deliver	ed by: Tom Barrett	Date: 4- 6-2020					
Witnessed By	y: Deena Hardin						
Employee Ac	knowledgement:						
	an acknowledgement that you received this Performance Improvement Plan. It does not neces	ssarily mean that you agree					



## SENIOR PROJECT MANAGER

KOMAN Construction, LLC

**Location:** To Be Determined **FLSA Classification:** Exempt

**Supervisor:** Construction Executive **Direct Reports:** None at this time

## **Purpose:**

KOMAN Construction, LLC is looking for a Senior Project Manager to plan and oversee management of construction projects. The ideal candidate will harbor a passion for construction and devote his or her creativity to our projects. The Senior Project Manager's job is to oversee each project from conception to the finished structure, interfacing with both construction professionals and the client, and ensuring that projects are completed within time and budgetary constraints.

#### **Essential Functions:**

- Manages the Quality Control (QC) Program for project: how to create the site-specific QC plan, keep the QC plan updated, conduct and document the 3-phase inspection program, utilize the deficiency log to create a 0-punch list project, perform the pre-final and final inspections in a timely manner, complete punch list items in a timely manner
- Identifies and resolves problems and conflicts early by utilizing specific controls established in the QCP
- Maintains a sense of urgency
- Manages subcontractors and coordinates subcontractor work to ensure the project schedule is met
- Understands construction sequencing: can conceptually build the project in its entirety and then execute the plan
- Knows when, with whom, and how to best communicate
- Understands government documentation requirements
- Ensures all work is installed per the work plan document and that quality is met by utilizing the QCP
- Maintains proper use of the deficiency log by performing timely inspections and using the deficiency log in order to have a 0-punch list project
- Maintains all safety policies: reads and understands the Accident Prevention Plan and executes the plan to
  include all documentation, has a working knowledge of the Corps of Engineer safety manual/requirements,
  knows and understands infection control standards and methods
- Effectively conducts owners' meeting to ensure there is a complete understanding of the project and stated goals as well as any current issues or outstanding questions
- Distributes agenda stating issues and objectives of meetings, issued in enough time to ensure a productive meeting, then produces the minutes of those meetings and distributes them to all stakeholders
- Stays abreast of changes in the industry and shares innovation with other departments and divisions
- Understands when and how to delegate responsibility and works to develop those skills in his project managers
- Serves as a mentor and teacher to direct reports to assist in career development
- Understands the skills and limitations of direct reports and works to close any gaps that are present

# Case 3:20-cv-00252-KC Document 1-30 Filed 10/01/20 Page 7 of 9

- Clearly defines and articulates expectations to the rest of the team/stakeholders
- Knows and understand his or her audience and their needs/requirements
- Focuses on the facility, but understand the big picture of how they ultimately represent the company
- Works independently and is equipped to make decisions that resolve issues while understanding when to ask for assistance from those with more knowledge or experience
- Understands the abilities and/or the limitations of themselves and those who work for them
- Prepares pay requisition to the customer and then prepares and sends the subcontractors invoices to accounting
- Prepares budgets and understands the company budget process and cash projections
- Maintains a positive cash flow while ensuring all subcontractors are paid in compliance with the Prompt Pay
   Act
- Understands all aspects of the bidding process and how to manage the efforts of everyone on the bid team,
   as the bid proposal captain, to ensure a quality proposal is submitted on time
- Writes and executes subcontracts and the scope of work, including construction change orders both upstream and down-stream, as required
- Ensures all projects are completed on schedule
- Understands and can develop project managers and other staff on the proper preparation and use of a project schedule.
- Knows how to create a cost loaded schedule with complete understanding of the critical path
- Has the ability to both develop project schedules themselves and work with professional schedulers when required
- Manages the QC and Safety program
- Develops monthly progress reports to the customer and develops monthly risk reports
- Manages the submittal process
- · Proactively manages risk
- Understands LEEDS and is capable of implementing the LEED requirements
- Has the ability to bid, buy, and build
- · Recognizes abilities and opportunities
- Defines goals and objectives
- Identifies, applies, and manages resources
- Champions the causes of the team
- Serves as a sounding board up stream and down stream
- Manages all projects under their responsibility for compliance, both contractually and financially
- Builds relationships with customers to facilitate more opportunities
- Builds relationships with subcontractors to ensure a cache of vendors eager to work with our firm
- Achieves revenue goals by knowing the financial status of their projects and controls budgets through controlling cost and buy-out to meet the profit projections
- Ensures proper cash flow is maintained on all projects managed
- Correctly procures, runs, and closes out multiple projects, fulfilling all contractual requirements efficiently
- Accurately forecasts where their job is going to be financially, monthly and quarterly
- Manages A/E contractors and uses that ability to manage the A/E firm assigned to projects through constant interaction and monitoring throughout the life of the project

#### **Education:**

Bachelor's degree in a technical or business field (or equivalent experience) is required.

#### **Experience:**

# Case 3:20-cv-00252-KC Document 1-30 Filed 10/01/20 Page 8 of 9

A minimum of seven years' experience is required. Ten years' experience can be substituted in lieu of a degree. In some instances, the contract will define what a Senior Project Manager's qualification requirements are. Although an employee may be considered a SPM for KOMAN Construction, Inc, but only qualifies as a Project Manager or Superintendent on a specific contract.

# Knowledge, Skills, and Abilities:

- Analytical Skills: must be skilled at planning for large-scale, multi-step projects and be capable of defining roles and responsibilities
- Decision Making: must be able to make frequent decisions, such as choosing subcontractors, materials, schedules, and more
- Management Skills: must lead their team, and keep them motivated and focused on the job
- Communication: writing and speaking skills are needed when communicating with employees, writing
  proposals, working with subcontractors, procuring materials, and dealing with clients
- Technical Skills: must understand construction methodologies, blueprints, government contracts, and other aspects of construction
- Computer Skills: must understand and be able to work with MS Office, MS Projects, Viewpoint, AutoCAD Reader, and other miscellaneous software that may be contractually required
- Time-Management Skills: deadlines are crucial in construction, so making sure that everything is on time
  and moving smoothly is a critical part of the job

#### **Supervisory Responsibilities:**

This position has no immediate supervisory responsibilities.

# **Work Environment and Physical Requirements:**

The work environment and physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to talk or hear. The employee is frequently required, sometimes for extended periods, to walk, stand, or sit. This role routinely uses standard office equipment such as computers, phones, photocopiers, filing cabinets, and fax machines. The employee is occasionally required to climb ladders or stairs; use hands to type, finger, handle, or feel; reach with hands and arms; balance, stoop, kneel, crouch, or crawl; and get in and out of vehicles. The employee must occasionally lift and/or move small or large objects up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, depth perception, and ability to adjust focus.

The work environment and worksites may include construction sites, job site trailers, offices, or other locations. Noise level is generally moderate to high. Requires work boots, safety goggles and hard hat. While performing the duties of this Job, the employee is frequently exposed to outside weather conditions and occasionally exposed to moving mechanical parts and high, precarious places. Typical hours are Monday through Friday, 7:00 AM to 4:00 PM, however hours can fluctuate depending on project needs to include evenings, nights, and weekends. Local travel to construction worksites may be required.

#### **EEO/AAP Statement:**

It is the company's policy to select, place, train and promote the most qualified individuals based upon relevant factors such as work quality, attitude, and experience, so as to provide Equal Employment Opportunity for all

Last Updated: 9/29/2017

# Case 3:20-cv-00252-KC Document 1-30 Filed 10/01/20 Page 9 of 9

employees in compliance with applicable local, state and federal laws and without regard to non-work related factors such as race, color, religion/creed, sex, national origin, age, disability, marital status, veteran status, pregnancy, sexual orientation, gender identity, or other protected status. When applicable, the company's policy of non-discrimination applies to all terms and conditions of employment, including but not limited to, recruiting, hiring, training, transfer, promotion, placement, layoff, compensation, termination, reduction in force, and benefits. It is the company's business philosophy and practice to provide reasonable accommodation, according to applicable state and federal laws, to all qualified individuals with physical or mental disabilities.

## **Additional Job Duties:**

This job description is intended to describe the general content and requirements for performance of this job. It is not intended to be an exhaustive list of all job duties, responsibilities and requirements. Others duties may be assigned and the company reserves the right to modify, interpret, and apply the job description as necessary. This job description is not a contract for employment.

SENIOR PROJECT MANAGER 4 Last Updated: 9/29/2017